

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of IAN WYBORSKI, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KATHY A. WYBORSKI,

Respondent-Appellant.

UNPUBLISHED

May 19, 2005

No. 258304

Wayne Circuit Court

Family Division

LC No. 04-431011-NA

Before: Bandstra, P.J., and Fitzgerald and Meter, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order assuming jurisdiction over the minor child under MCL 712A.2(b)(1) and (2). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

Following a bench trial, the trial court found that a preponderance of the evidence established that the child came within the statutory requirements of MCL 712A.2(b)(1) and (2). The evidence established that respondent suffered from mental illness and had persistent delusions, which caused her to unplug appliances, turn off the utilities in her home, and move frequently in search of “safe” housing. Respondent denied that she suffered from mental illness, was not in treatment, and was reluctant to take psychotropic medication. The child expressed fears of ordinary items such as ceiling lights and radio towers. Accordingly, the trial court did not clearly err in exercising jurisdiction over the child. *In re BZ*, 264 Mich App 286, 295; 690 NW2d 505 (2004).

We affirm.

/s/ Richard A. Bandstra

/s/ E. Thomas Fitzgerald

/s/ Patrick M. Meter